

AMENDED IN ASSEMBLY JUNE 15, 2006

AMENDED IN ASSEMBLY JUNE 13, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE MAY 9, 2006

AMENDED IN SENATE APRIL 17, 2006

AMENDED IN SENATE MARCH 30, 2006

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1469

Introduced by Senator Cedillo

(Principal coauthor: Assembly Member Coto)

February 23, 2006

An act to add Section 14029.5 to the Welfare and Institutions Code, relating to Medi-Cal eligibility.

LEGISLATIVE COUNSEL'S DIGEST

SB 1469, as amended, Cedillo. Medi-Cal: eligibility: juvenile offenders.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, and under which qualified low-income persons receive health care benefits. The Medi-Cal program is governed, in part, by federal Medicaid provisions.

Existing law places specified juvenile offenders in county juvenile detention facilities.

This bill, commencing January 1, 2008, would require a county juvenile detention facility to provide specified information relating to

a ward of the county who is scheduled to be released to the appropriate county welfare department, and would require the county to initiate an application and determine the individual's eligibility for the Medi-Cal program, as specified. The bill would require the county, if the ward is a minor, to give a parent or guardian the opportunity to opt out of this eligibility determination. The bill would require a county welfare department to provide sufficient documentation to enable the ward to receive medical care upon his or her release from custody, as specified.

This bill would require the department, by June 1, 2007, in consultation with designated entities, to collaborate to establish the protocols and procedures necessary to implement the bill. The bill would require the department to implement its provisions by means of all-county letters or similar instructions, and thereafter to adopt implementing regulations, as necessary. The bill would require the department to seek any federal waivers necessary for its implementation.

By increasing the duties of counties administering the Medi-Cal program and of county juvenile detention facilities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14029.5 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 14029.5. (a) (1) Commencing January 1, 2008, immediately
- 4 following the issuance of an order committing a ward of the
- 5 county to a juvenile hall, camp, or ranch for 30 days or longer,
- 6 the county juvenile detention facility shall provide the
- 7 appropriate county welfare department with the ward's name, his

1 or her scheduled or actual release date, any known information
2 regarding the ward's Medi-Cal status prior to disposition, and
3 sufficient information, when available, for the county welfare
4 department to begin the process of determining the ward's
5 eligibility for benefits under this chapter, including, if the ward is
6 a minor, contact information for the ward's parent or guardian, if
7 available.

8 (2) If the ward is a minor, prior to providing information to the
9 county welfare department pursuant to paragraph (1), the county
10 juvenile detention facility shall notify the parent or guardian, in
11 writing, of its intention to submit the information required by that
12 paragraph to the county welfare department. The parent or
13 guardian shall be given a reasonable time to opt out of the
14 Medi-Cal eligibility determination provided for under this
15 section, in which case the county juvenile detention facility shall
16 not comply with paragraph (1).

17 (3) For purposes of this section, "ward" means a person in the
18 custody of a county juvenile detention facility.

19 (b) (1) Upon receipt of the information described in paragraph
20 (1) of subdivision (a), and pursuant to the protocols and
21 procedures developed pursuant to subdivision (c) the county
22 welfare department shall initiate an application and determine the
23 individual's eligibility for benefits under the Medi-Cal program.
24 The county welfare department shall promptly contact the parent
25 or guardian to arrange for completion of the application. The
26 county shall expedite the application of a ward who, according to
27 the information provided pursuant to paragraph (1) of
28 subdivision (a), is scheduled to be released in fewer than 45 days.

29 (2) If the county welfare department determines that the
30 individual does not meet the eligibility requirements for the
31 Medi-Cal program, the county welfare department shall forward
32 the individual's information to the appropriate entity to
33 determine eligibility for the Healthy Families Program, or other
34 appropriate health coverage program, as determined by the
35 department.

36 (3) If the county welfare department determines that a ward
37 meets eligibility requirements for the Medi-Cal program, the
38 county shall provide sufficient documentation to enable the ward
39 to obtain necessary medical care upon his or her release from
40 custody.

1 (c) By June 1, 2007, the department, in consultation with the
2 Chief Probation Officers of California and the County Welfare
3 Directors Association, shall collaborate to establish the protocols
4 and procedures necessary to implement this section, ~~including,~~
5 ~~but not limited to, all of the following:~~ *section.*

6 ~~(1) The suspension and resumption of coverage under the~~
7 ~~Medi-Cal program as provided for in subdivision (a).~~

8 ~~(2) Notification requirements on the part of the facility.~~

9 ~~(3) Communication between the county welfare department,~~
10 ~~the minor's family, and the facility as may be necessary to~~
11 ~~determine continued eligibility.~~

12 ~~(4) Impacts on the eligibility of a minor's family, if eligible for~~
13 ~~Medi-Cal at the time the minor becomes an inmate of an~~
14 ~~institution.~~

15 ~~(5) How and in what form counties or the department will~~
16 ~~provide a beneficiary card or other official communication that~~
17 ~~eligibility will be reinstated upon the minor's release.~~

18 ~~(6) Any needed changes to applicable regulations and policies.~~

19 (d) Notwithstanding Chapter 3.5 (commencing with Section
20 11340) of Part 1 of Division 3 of Title 2 of the Government
21 Code, the department shall implement this section by means of
22 all-county letters or similar instructions, without taking any
23 further regulatory action. Thereafter, the department shall adopt
24 regulations, as necessary, to implement this section in accordance
25 with the requirements of Chapter 3.5 (commencing with Section
26 11340) of Part 1 of Division 3 of Title 2 of the Government
27 Code.

28 (e) The department shall seek any federal waivers necessary
29 for the implementation of this section.

30 SEC. 2. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.